

CLOSED

**U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:12-cv-22043-UU**

Simpkins v. United States Department of Justice et al
Assigned to: Judge Ursula Ungaro
Cause: 05:0552 Freedom of Information Act

Date Filed: 05/29/2012
Date Terminated: 10/10/2012
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Nathaniel Simpkins
Prisoner ID: 64247-004

represented by **Nathaniel Simpkins**
64247-004
Spectrum Programs, Inc.
Residential Re-Entry Center 4XH
120 NW 59th Street
Miami, FL 33129
PRO SE

V.

Defendant

United States Department of Justice

represented by **Carole M. Fernandez**
United States Attorney's Office
Federal Justice Building
99 NE 4th Street
Miami, FL 33132
305-961-9333
Fax: 305-530-7139
Email: Carole.Fernandez@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

United States Judiciary

Date Filed	#	Docket Text
05/29/2012	<u>1</u>	COMPLAINT pursuant to 5 U.S.C. §552(a)(4)(B). Freedom of Information Act against United States Department of Justice, United States Judiciary. Filing fee \$ 350.00 (FEE NOT PAID), filed by Nathaniel Simpkins.(ar2) (Entered: 05/31/2012)
05/29/2012	2	Judge Assignment to Judge Ursula Ungaro (ar2) (Entered: 05/31/2012)
05/29/2012	3	Clerks Notice of Magistrate Judge Assignment to Magistrate Judge Patrick A. White. Pursuant to Administrative Order 2003-19 for a ruling on all pre-trial, non-dispositive matters and for a Report and Recommendation on any dispositive matters. (ar2) (Entered: 05/31/2012)
06/04/2012	4	Clerks Notice of Receipt of No Filing Fee. Case is Pending a Motion IFP or Payment. (ar2) (Entered: 06/04/2012)
06/15/2012	<u>5</u>	MOTION for Leave to Proceed in forma pauperis by Nathaniel Simpkins. (ral) (Entered: 06/15/2012)
06/20/2012	<u>6</u>	ORDER PERMITTING PLAINTIFF TO PROCEED WITHOUT PREPAYMENT OF FILING FEE BUT ESTABLISHING DEBT TO CLERK OF \$350.00 and Granting <u>5</u> Motion for Leave to Proceed in forma pauperis. Signed by Magistrate Judge Patrick A. White on 6/19/2012. (tw) (Entered: 06/20/2012)

06/20/2012	<u>7</u>	ORDER OF INSTRUCTIONS TO PRO SE CIVIL RIGHTS LITIGANTS. Signed by Magistrate Judge Patrick A. White on 6/19/2012. (tw) (Entered: 06/20/2012)
06/29/2012	<u>8</u>	ORDER RE SERVICE OF PROCESS UPON UNITED STATES. The United States Marshal shall serve the United States of America, by sending a copy of the complaint along with appropriate summons by registered or certified mail to: a) Wifredo A. Ferrer, United States Attorney, Southern District of Florida, 99 N.E.Fourth Street, Miami, Florida 33132; and to b) Eric H. Holder, Jr., U.S. Attorney General, U.S. Department of Justice, 10th and Constitution Avenue, N.W., Room B-324, Washington, D.C. 20530. Signed by Magistrate Judge Patrick A. White on 6/29/2012. (tw) (Entered: 06/29/2012)
07/02/2012	<u>9</u>	MOTION asking this Court to grant Continuance by Nathaniel Simpkins. Responses due by 7/19/2012 (ral) (Entered: 07/03/2012)
07/02/2012	<u>10</u>	NOTICE to the Court; Motion providing the Court with the list of defendants by Nathaniel Simpkins (ral) (Entered: 07/03/2012)
07/03/2012	<u>11</u>	Summons Issued as to the Civil Process Clerk, U.S. Attorney's Office (br) (Entered: 07/05/2012)
07/03/2012	<u>12</u>	Summons Issued as to U.S. Attorney General (br) (Entered: 07/05/2012)
07/16/2012	<u>13</u>	ORDER deferring ruling on <u>9</u> Motion to Continue until service has been completed upon defendants and then they will be ordered to respond to this motion. Signed by Magistrate Judge Patrick A. White on 7/16/2012. (cz) (Entered: 07/16/2012)
07/17/2012	<u>14</u>	MOTION to Amend <u>1</u> Complaint by Nathaniel Simpkins. Responses due by 8/3/2012 (ral) (Entered: 07/18/2012)
07/17/2012	<u>15</u>	NOTICE to the Court; Motion Providing the Court with Location of Discovery by Nathaniel Simpkins (ral) (Entered: 07/18/2012)
07/23/2012	<u>16</u>	NOTICE to the Court; Motion Providing the Court with the List of Defendant(s) by Nathaniel Simpkins (ral) (Entered: 07/23/2012)
07/23/2012	<u>17</u>	MOTION asking this Court to grant continuation by Nathaniel Simpkins. Responses due by 8/9/2012 (ral) (Entered: 07/23/2012)
07/27/2012	<u>18</u>	REPORT AND RECOMMENDATIONS. Denying <u>14</u> MOTION to Amend/Correct <u>1</u> Complaint filed by Nathaniel Simpkins, denying <u>9</u> MOTION to Continue filed by Nathaniel Simpkins and denying <u>17</u> MOTION to Continue filed by Nathaniel Simpkins. Objections to RR due by 8/13/2012 Signed by Magistrate Judge Patrick A. White on 7/27/2012. (tw) (Entered: 07/27/2012)
08/10/2012	<u>19</u>	SUMMONS (Affidavit) Returned Executed Wilfredo Ferrer, United States Attorney, SDFL, c/o Civil Process Clerk, US Attorney's Office served on 8/9/2012, answer due 10/9/2012. (jc) (Entered: 08/10/2012)
08/17/2012	<u>20</u>	ORDER Affirming Magistrate Judge's Report; denying <u>9</u> Motion to Continue; denying <u>14</u> Motion to Amend; denying <u>17</u> Motion to Continue; adopting <u>18</u> Report and Recommendations. Certificate of Appealability: No Ruling. Signed by Judge Ursula Ungaro on 8/16/2012. (ral) (Entered: 08/17/2012)
08/17/2012	<u>21</u>	OBJECTIONS to Denial of Amended Complaint; re <u>20</u> Order by Nathaniel Simpkins. (ral) (Entered: 08/17/2012)
08/21/2012	<u>22</u>	ACKNOWLEDGMENT OF SERVICE Executed as to <u>1</u> Complaint, <u>12</u> Summons Issued as to USA. (ral) (Entered: 08/21/2012)
09/10/2012	<u>23</u>	ANSWER and Affirmative Defenses to Complaint by United States Department of Justice.(Fernandez, Carole) (Entered: 09/10/2012)
09/10/2012	<u>24</u>	MOTION for this Court to Grant Summary Judgment by Nathaniel Simpkins. (ral) (Entered: 09/11/2012)
09/10/2012	<u>25</u>	MOTION for this Court to Issue Subpoenas and Give a Calendar Date for Trial by Nathaniel Simpkins. (ral) (Entered: 09/11/2012)

09/17/2012	<u>26</u>	ORDER denying as moot <u>24</u> Motion for summary judgement ; denying as moot <u>25</u> Motion for subpoenas and trial date. Signed by Magistrate Judge Patrick A. White on 9/17/2012. (cz) (Entered: 09/17/2012)
09/17/2012	<u>27</u>	NOTICE of Change of Address by Nathaniel Simpkins. NOTE: Address updated. (ral) (Entered: 09/18/2012)
09/18/2012	<u>28</u>	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>1</u> Complaint filed by Nathaniel Simpkins. Recommending that the plaintiff's complaint be dismissed, based upon the Answer of the respondent. Objections to RRdue by 10/5/2012 Signed by Magistrate Judge Patrick A. White on 9/18/2012. (tw) (Entered: 09/18/2012)
10/02/2012	<u>29</u>	OBJECTIONS to Magistrate <u>28</u> Report and Recommendation that the Plaintiffs' Complaint be Dismissed by Nathaniel Simpkins. (ral) (Entered: 10/03/2012)
10/10/2012	<u>30</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>1</u> Complaint filed by Nathaniel Simpkins ; adopting Report and Recommendations re <u>28</u> Report and Recommendations. Dismissing Complaint; Certificate of Appealability: No Ruling; Closing Case. Signed by Judge Ursula Ungaro on 10/10/2012. (ls) (Entered: 10/10/2012)
10/11/2012	31	Case No Longer Referred to Magistrate Judge Patrick A. White/Case Closed by the District Judge. Signed by Magistrate Judge Patrick A. White on 10/11/2012. (br) (Entered: 10/11/2012)